

REMARKS

The Examiner has issued a restriction requirement, requiring Applicants to elect one of Groups I-VIII, and to elect a single disclosed species to which the claims shall be restricted if no generic claim is finally held to be allowable. In order to be fully responsive to the instant Office Action, Applicants with traverse hereby elect Group II, claims 5-9, directed to nucleic acids, vectors and host cells. With respect to election of a single disclosed species, Applicants with traverse hereby elect CLP-337 (SEQ ID NO.: 17). Applicants reserve the right to prosecute all remaining claims and subject matter not elected with this response in one or more continuation or divisional applications.

Applicants respectfully disagree with the Examiner's organization of Groups I-VIII. Groups II, IV, VI and VIII are drawn to nucleic acids encoding PSMA peptide, vectors or cell lines containing such nucleic acids (Group II), compositions containing such nucleic acids (Group IV), the use of such nucleic acids to generate an immune response (Group VI) or treat cancer (Group VIII). Applicants respectfully submit that the Examiner would not be subjected to any undue burden in conducting a search or examination of the claims of Groups II, IV, VI and VIII simultaneously, as each Group is dependent upon the PSMA peptide encoding nucleic acid. As stated at MPEP 803:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

Thus, Applicants respectfully maintain that the Examiner is required to examine at least the claims of Groups II, IV, VI and VIII in a single application. Accordingly, Applicants respectfully request that the claims of Groups II, IV, VI and VIII (claims 5-9, 12, 13, 16 and 20) be examined simultaneously within this application.

REQUEST TO CHANGE DOCKET NUMBER

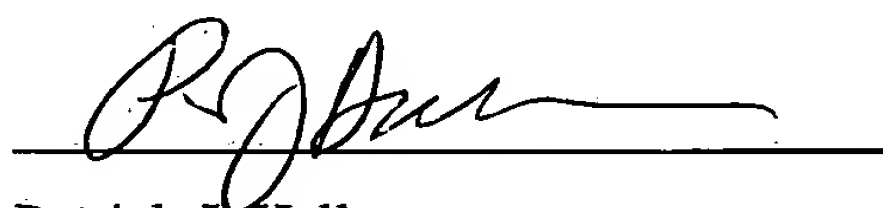
Applicants hereby request that the docket number for this case be changed from 11014-22 to API-02-07-US.

CONCLUSIONS

Applicants respectfully maintain that the pending claims are now in condition for allowance. It is requested that a Notice of Allowance for these claims be issued as soon as possible. The Examiner is encouraged to contact the undersigned with any questions and/or comments.

Respectfully submitted,

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